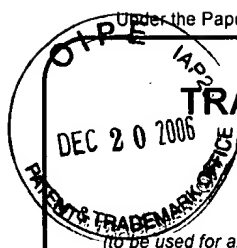


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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

7

Application Number

09/816,641

Filing Date

March 22, 2001

First Named Inventor

Jacobs et al.

Art Unit

3743

Examiner Name

Henry Bennett

Attorney Docket Number

354661-991130

## ENCLOSURES (Check all that apply)

- |  |  |   |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br>Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please identify<br>below):<br>Return postcard |
|--|--|---|

### Remarks

The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account 07-1896. A duplicate copy of this sheet is enclosed.

Customer No. 26379

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

DLA Piper US LLP

Signature

Printed name

Alan A. Limbach

Date

December 18, 2006

Reg. No.

39,749

## CERTIFICATE OF TRANSMISSION/MAILING

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Kathleen LaBrie

Date

December 18, 2006

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## INFORMATION DISCLOSURE STATEMENT

Applicants:	Jacobs, et. al.
Application No.	09/816,641
Filed:	March 22, 2001
For:	Tissue Tension Distribution Device For A Combined Orbital Rim Repair and Suspension
Group Art Unit:	3743
Examiner:	Henry A. Bennett
Attorney Docket No.:	354661-991130

Commissioner of Patents and Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the provisions of 37 C.F.R. § 1.56(a) and 37 C.F.R. § 1.97, Applicant(s) hereby make of record the references listed on the accompanying Form PTO-1449 for consideration by the Examiner in connection with the examination of the above-identified patent application.

### This Information Disclosure Statement:

- |     |                                     |   |
|-----|-------------------------------------|---|
| (a) | <input type="checkbox"/>            | accompanies a new patent application submitted herewith.  |
| (b) | <input type="checkbox"/>            | is filed within three (3) months of the Filing Date or before the mailing date of a First Office Action on the merits; OR   |
| (c) | <input type="checkbox"/>            | after the period defined in (b) but before the mailing date of a Final Rejection or Notice of Allowance, OR   |
| (d) | <input type="checkbox"/>            | is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned prior to the mailing date of either a final rejection or a notice of allowance, and is accompanied by either the fee (\$180) set forth in 37 CFR § 1.17(p) or a certification as specified in 37 CFR § 1.97(e), as checked below OR |
| (e) | <input checked="" type="checkbox"/> | is filed after the mailing date of either a final rejection or a notice of allowance, and the issue fee has not been paid, and is accompanied by the requisite petition fee (\$130) set forth in 37 CFR § 1.17(l)(1) and a certification as specified in 37 CFR § 1.97(e), as checked below. This document is to be considered as a petition requesting consideration of the information disclosure statement.                  |

As required under § 1.97(e), Applicants, through the undersigned, hereby state either that [check the appropriate space]:

- |     |                                     |   |
|-----|-------------------------------------|---|
| (f) | <input type="checkbox"/>            | Each item of information contained in the Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of the Information Disclosure Statement; or   |
| (g) | <input checked="" type="checkbox"/> | No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this Statement after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement. |

It is respectfully requested that each of the references shown on the attached Form PTO-1449 be made of record in this application.

The Commissioner is authorized to charge any deficiencies and credit any overpayment of fees to our Deposit Account No. 07-1896.

Respectfully submitted,

Date: December 18, 2006

DLA PIPER US LLP

By: 

Reg. No. Alan A. Limbach (Reg. No. 39,749)  
Attorneys for Applicant(s)  
2000 University Avenue  
East Palo Alto, CA 94303-2248  
650-833-2433

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December 18, 2006

Date

  
Signature

Form PTO-1449 (modified 2/91) <b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)	U.S. DEPT. OF COMMERCE Patent and Trademark Office	Attorney Docket Number: <b>354661-991130</b>	Serial Number: 09/816,641
		Applicants: Jacobs et al	
		Filing date: March 22, 2001	Group art unit: 3743

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

	Document number	Date	Country	Class	Sub-class	Translation	
						YES	NO

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


Examiner:	Date Considered:
EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP '609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the applicant.	



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Effective on 12/08/2004. Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).		<b>Complete If Known</b>	
		Application Number	09/816,641
<b>FEE TRANSMITTAL</b> <b>for FY 2006</b>		Filing Date	March 22, 2001
		First Named Inventor	Jacobs et al.
		Examiner Name	Henry A. Bennett
		Art Unit	3743
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Attorney Docket No.	354661-991130
TOTAL AMOUNT OF PAYMENT		(\$130.00)	

**METHOD OF PAYMENT** (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Account Deposit Account Number: 07-1896 Deposit Account Name: DLA Piper US LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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**FEE CALCULATION** (All the fees below are due upon filing or may be subject to a surcharge.)

**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Small Entity	
	Fee (\$)	Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

**Total Claims** - 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20

**Indep. Claims** - 3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
_____	_____	_____	_____	_____

**4. OTHER FEE(S)**

	Fee Paid (\$)
Non-English Specification, \$130 fee (no small entity discount)	
Other (e.g., late filing surcharge): IDS after Final Rejection - Petition Fee 37 CRF 1.17(l)(1)	130.00

<b>SUBMITTED BY</b>			
Signature		Registration No. 39,749 (Attorney/Agent)	Telephone 650-833-2433
Name (Print/Type)	Alan A. Limbach		Date December 18, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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